

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HACHETTE BOOK GROUP, INC., ET AL.,

20-cv-4160 (JGK)

Plaintiffs,

ORDER

- against -

INTERNET ARCHIVE, ET AL.,

Defendants.


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JOHN G. KOELTL, District Judge:

The Court received the attached letter, which it forwards to  
the parties.

SO ORDERED.

Dated: New York, New York  
June 29, 2022

  
\_\_\_\_\_  
John G. Koeltl  
United States District Judge

Hon. John G. Koeltl  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

June 23, 2022

Re: *Hachette Book Group, Inc., et al. v. Internet Archive, et al.*, 20-cv-04160-JGK

Dear Judge Koeltl:

I write in behalf of defendant.

I am a private citizen. I reside in Davis California, where I have access to excellent library resources, as well as print books for purchase; both new and used. Additionally, my community is rife with “little free libraries”, which are diminutive cabinets of books located in front of people’s houses that offer books to passers-by. In addition, I have a substantial home library, which occupies a lot of precious space; my bookshelves are full, which makes lending libraries and book exchanges very attractive to me. I use the Internet Archive for research and pleasure reading.

The Internet Archive freely provides a valuable library resource to me in the form of books to borrow. I am a student of Meso-American history, which is a fairly esoteric subject; some of the titles I seek for my research are pretty hard to find. For example; The Plumed Serpent, a 1926 novel by D.H. Lawrence. I was able to check out this book from the Internet Archive and read it on my computer. The digital format of the book allowed me to not only read it, but to search the text and

enlarge the print for easy reading (my eyes are getting old). It seems extremely unlikely that the copyright holder of this work will *ever again* offer this book in any form.

I have read the arguments of the Plaintiffs in this case and I find them unconvincing. It is clear that many entrenched interests have been offended by the sea changes wrought by digital technology over the past decades, and the present complaint against the Internet Archive appears to be not much more than a punitive rant against a perceived insult by machines. We are well into an inexorable wave of change wrought by the digital age and Internet Archive is making the best of technology while meeting its obligation to the publishers by freely lending only the books it legitimately owns.

There is more at stake here than simply increasing the revenue stream to holders of copyright. The right to share the books we own is at stake as well as the health of free libraries.

I urge the rejection of Plaintiffs case.

respectfully,

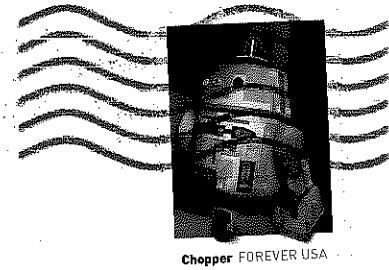
Larry Dieterich

A handwritten signature in black ink, appearing to read "Larry Dieterich", with a stylized flourish at the end.

Larry Dieterich  
405 7th St  
Davis, CA 95616-3704

SACRAMENTO CA 957

23 JUN 2022 PM 6 L



Hon. John G. Koeltl  
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United States Courthouse  
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